



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,292	08/24/2000	Linda M Smith	23528-030	3365

36614 7590 06/08/2006
MANATT PHELPS AND PHILLIPS
ROBERT D. BECKER
1001 PAGE MILL ROAD, BUILDING 2
PALO ALTO, CA 94304

EXAMINER

JANVIER, JEAN D

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3622

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the below information that the examiner has determined is reasonably necessary to the examination of this application.

2. The information is required to identify products and services embodying the disclosed subject matter of claims 21, 33 and 46 and identify the properties of similar products and services found in the infringing device or system.

3. In response to this requirement, please provide the names of any product(s) or service(s) (or identify any document(s)) incorporating the claimed subject matter as featured in claims 21, 33 and 46.

4. In response to this requirement, please provide a copy of the rigid comparison of the alleged infringing device and method (from Amway) identified during the telephone conversation along with any supporting documents concerning place and date(s) of use and/or sale of the alleged infringing device.

5. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

6. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

7. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of two (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Reply To The Applicant's 1.111 Response

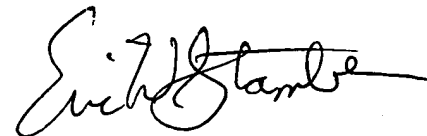
Following a recent telephone interview, the Attorney of record or Applicant had contacted the Examiner and complained or indicated that "Amway" may be infringing on currently amended and newly added independent claims 21, 33 and 46 respectively and thus, the Attorney was wondering whether or not prosecution can be expedited. However, the Attorney or Applicant never discloses such alleged infringing device or system (by referring, for example, to a specific portion of a written document) pursuant to 37 CFR 1.56. Therefore, the Examiner has herein issued a rule 1.105 request, as seen above, for the alleged infringing device or system or the associated document (by citing the relevant portion of the said document) so that the Examiner can continue with the prosecution of the Application and make a patentability decision thereof.

Conclusion

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300



**ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**

Application/Control Number: 09/645,292
Art Unit: 3622

Page 4

JDJ

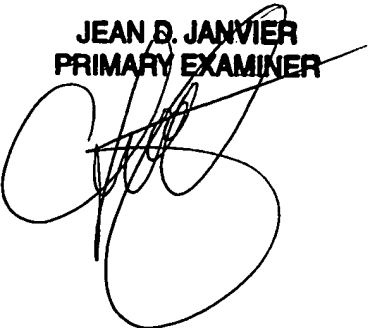
06/05/06

Jean D. Janvier
Patent Examiner
Art Unit 3622

Eric Stamber

SPE

JEAN D. JANVIER
PRIMARY EXAMINER

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over the printed name and title.